

**UNITED STATES DISCRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ARACELI RICO

Plaintiff,

v.

**DAVIS BANCORP
Inc., an Illinois
Corporation,**

Defendant,

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No.

FILED

MAY 12, 2008

08CV2721

JUDGE ASPEN

MAGISTRATE JUDGE VALDEZ

YM

ORIGINAL COMPLAINT

NOW COMES the Plaintiff, ARACELI RICO (“Rico”), by and through her Attorneys, Oviedo Burgos Associates LLC, and as her Original Complaint against DEFENDANT, DAVIS BANCORP, INC. (“Davis” or “Defendant”), states as follows:

JURISDICTION AND VENUE

1. This action arises, in part, under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*, as amended by the Pregnancy Discrimination Act, Pub.L. 95-555 (“Title VII”). Accordingly, this Court has original subject matter jurisdiction pursuant to 28 U.S.C. §1331 (federal question jurisdiction).

2. Venue is proper in this Northern District of Illinois because all of the acts complained of took place within the territorial boundaries of this district and division in the State of Illinois.

ALLEGATIONS

3. The Plaintiff is a female resident of the United States and a resident of the State of Illinois. At the time of the events alleged herein, Plaintiff was an employee of Davis working for Davis at its offices in Chicago, Illinois.

4. Defendant is an Illinois corporation doing business in Illinois.

5. On information and belief, Defendant is an employer as defined in Title VII.

6. Plaintiff was employed by Davis from November 2004 through May 2006.

7. On or about May 15, 2006, during her employment at Davis' offices, Rico informed her supervisor that she was pregnant.

8. On May 19, 2006, Davis terminated Rico.

9. During all times relevant to this lawsuit, Rico was satisfactorily performing all of her job duties and met Davis' expectations.

10. On information and belief, Davis asserts that Rico was not terminated due to her pregnancy, but was terminated because her position was closed.

11. Davis was replaced with a non-pregnant employee.

12. Davis terminated Plaintiff because of her pregnancy, in violation of Title VII.

14. As a direct result of Davis' actions as aforesaid, Rico suffered damages consisting of loss of wages, both past and future, humiliation, mental and emotional distress both past and future and other damages.

15. Within 300 days of the events alleged herein, Plaintiff filed a charge of discrimination with the Equal Employment Opportunity Commission ("EEOC") regarding the acts alleged herein.

16. On February 15, 2008, Davis received a Right to Sue letter from the EEOC. A copy of said letter is attached as Exhibit A.

17. This lawsuit was filed before the expiration of 90 days following Plaintiff's receipt of her Notice of Right to Sue.

18. Defendant's acts, as aforesaid constitute unlawful sexual discrimination, in violation of Title VII.

19. Plaintiff is entitled to, and hereby demands a jury trial on her Title VII claims pursuant to 42 U.S.C. §2000e-1 and 42 U.S.C. §1981 et seq.

WHEREFORE, Plaintiff, ARACELI RICO, respectfully prays that she be awarded judgment against defendant, DAVIS BANCORP, INC., for, inter alia, back pay, front pay, compensatory and punitive damages, plus interest, costs and attorney's fees as permitted by law.

PLAINTIFF DEMANDS TRIAL BY JURY.

ARACELI RICO

By: ___s/ Lou Oviedo_____

Lou Oviedo
One of Her Attorneys

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